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## Winnebago County

County Clerk

*The Wave of the Future*

### NOTICE OF REFERENDUM

Winnebago County, Wisconsin

November 2, 2010

NOTICE IS HEREBY GIVEN, that at an election to be held in the County of Winnebago, Wisconsin, on November 2, 2010, the following proposed Resolution of the Winnebago County Board, will be submitted to a vote of the people:

**RESOLUTION NO. 79-72010: Place Advisory Referendum Question on November Ballot—Use of Transportation Tax Funds**

WHEREAS, according to the Legislative Fiscal Bureau, over the past decade, the State of Wisconsin has transferred approximately \$1.2 billion from the State's Segregated Transportation Fund to the State's General Fund and replaced it with approximately \$800 million in General Obligation (GO) bonds, thereby, reducing the amount available for transportation purposes by approximately \$400 million; and

WHEREAS, Wisconsin's practice of transferring money from the Segregated Transportation Fund to the General Fund has eroded the public's confidence that the "user fees" the public pays through the State gasoline tax and vehicle registration fees will be used for their intended purposes; and

WHEREAS, Wisconsin's practice of replacing the dollars transferred from the State's Segregated Transportation Fund with GO bonds puts our State in the precarious position of bonding to fund ongoing operations; and

WHEREAS, the Pew Center on States recently released a report that indicated Wisconsin has one of the ten worst budget situations in the country and specifically citing transferring money from the Transportation Fund to fund ongoing operations as an example of one of the practices that has put Wisconsin in such an untenable position; and

WHEREAS, the debt service for these bonds will have to be paid for out of the State's General Fund, which hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids, and Court in the future; and

WHEREAS, using the State's General Obligation (GO) bonds in this way has hurt the State's bond rating, and a report issued by CNN in 2009 listed Wisconsin as having the second worst GO bond rating in the country; and

WHEREAS, gas tax and vehicle registration fees comprise over 90% of the State's Segregated Transportation Account, and revenue from these two sources have been declining and are inadequate to meet the existing transportation needs in this State; and

WHEREAS, Wisconsin's transportation infrastructure is a fundamental component in its ability to attract and retain business and produce jobs; and

WHEREAS, the citizens of Winnebago County deserve the right to have their voices heard on this important issue; and

WHEREAS, providing constitutional protection much like our neighbors in Minnesota, Iowa, Michigan, and Ohio already have is the only way to ensure that this practice will not continue.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the following question will be put to the voters of Winnebago County in an advisory referendum during the November 2010 election:

Should the Wisconsin Constitution be amended as follows: All funds collected by the state from any taxes or fees levied or imposed for the licensing of motor vehicle operators, for the titling, licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of roadways, highways, or bridges shall be deposited only into the transportation fund or with a trustee for the benefit of the Department of Transportation or the holders of transportation-related revenue bonds. None of the funds collected or received by the state from any source and deposited into the transportation fund shall be lapsed, further transferred, or appropriated to any program that is not directly administered by the Department of Transportation in furtherance of the Department's responsibility for the planning, promotion, and protection of all transportation systems in the state except funds that were already lapsed, transferred, or appropriated from the transportation fund as of December 31, 2007. In this section, the term "motor vehicle" does not include any all-terrain vehicles, snowmobiles, or watercraft.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Clerk is directed to cause a copy of the Notice of Referendum to be published in the County's official newspaper as required by law; and

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Clerk is directed to provide a copy of this Resolution and a copy of the results of the advisory referendum to the Wisconsin Counties Association.

**THE QUESTION WILL APPEAR ON THE BALLOT AS FOLLOWS:**

Shall the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation fund?

**EXPLANATION**


Under the present Wisconsin law, state transportation funds have been utilized for non-transportation related purposes.

A "yes" vote would mean being in favor of a constitutional amendment banning non-transportation related transfers or lapses in the segregated transportation fund by the legislature.

A "yes" vote would mean being in favor of a constitutional amendment which requires that transportation funds, collected or received, be used solely to fund Wisconsin's transportation system.

A "no" vote would mean being opposed to a constitutional amendment banning non-transportation related transfers or lapses in the segregated transportation fund by the legislature.

Done in the City of Oshkosh, Winnebago County, Wisconsin  
on October 4, 2010.

  
Susan T. Ertmer  
Winnebago County Clerk